

NEVADA COMMISSION on HOMELAND SECURITY

BY-LAWS

ARTICLE I

Name and Authority:

The Nevada Commission on Homeland Security was created when Governor Kenny C. Guinn signed Assembly Bill 441, of the 72nd Session of the Nevada State Legislature, into law and further amended by the 73rd Session of the Nevada State Legislature under the provisions of SB 380. The Governor has deemed the Nevada Department of Public Safety as the designated state agency to provide staff assistance to the Commission per NRS 239C.180. These By-Laws are created and adopted in accordance with NRS 239C.

ARTICLE II

Section 1: Purpose & Mission

The Nevada Commission on Homeland Security is a Commission appointed by the Legislature to make recommendations to the Governor, the Legislature, and Nevada Citizens with respect to actions and measures that may be taken to protect residents of this State and visitors to this State from potential acts of terrorism and related emergencies. The Commission will propose goals and programs that may be set and carried out to counteract or prevent potential acts of terrorism and related emergencies before such acts can harm or otherwise threaten residents and visitors to this State. Lastly the Commission will perform any other acts related to their duties set forth in NRS 239.170C that the Commission determines are necessary to protect or enhance the safety and security of the State of Nevada, its residents and visitors

ARTICLE III – MEMBERSHIP

Section 1: Members

The Governor shall appoint to the Commission 14 voting members that he determines to be appropriate, and who serve at his pleasure, which must include at least:

- (a) The Sheriff of each county whose population is 100,000 or more;
- (b) The chief of the county fire department in each county whose population is 100,000 or more;
- (c) The agent in charge of the office of the Federal Bureau of Investigation in this state;

(d) An officer of the United States Department of Homeland Security whom the Department of Homeland Security has designated for this state;

(e) A member of the medical community in a county whose population is 400,000 or more.

The Senate Majority Leader shall appoint one member of the Senate as a nonvoting member of the Commission.

The Speaker of the Assembly shall appoint one member of the Assembly as a nonvoting member of the Commission.

Section 2: Term

Except for the initial members, the term of office of each member of the Commission who is a Legislator is two years and commences on July 1 of the year of appointment. The term for Commission members is three years.

Members may be reappointed at the pleasure of the Governor, and there is no limit on the number of terms that a member may serve. If a member leaves the entity they represent, they must offer their resignation to the Commission Chairman for presentation to the full Commission.

Section 3: Termination

Membership shall be terminated at will or discretion by the appointing Governor, Chairman or Vice Chairman (absence of the Chairman), upon determination that three unexcused absences per year have occurred, or for unlawful behavior, or if it has been determined that excessive disruptive behavior is harmful to the Commission in fulfilling its duties. Excused absences are at the discretion of the Chairman or Vice Chairman (in absence of the Chairman).

Section 4: Voting

A majority of the voting members of the Commission or Committee constitutes a quorum for the transaction of business, and a simple majority of those voting members present at any meeting is sufficient for any official action taken by the Commission or Committee. Each member shall possess a single vote.

Section 5: Compensation

Compensation shall be adhered to as follows:

- (a) Each member of the Commission who is not a public employee is entitled to receive compensation of not more than \$80 per day, as fixed by the Commission, while engaging in the business of the Commission.

- (b) Each member of the Commission who is public employee may not receive compensation for his/her services; however, the public employee must be granted administrative leave from his duties to engage in the business of the Commission without loss of his/her regular compensation. Such leave does not reduce the amount of the member's other accrued leave.
- (c) Except during a regular or special session of the Nevada State Legislature, each legislative member of the Commission is entitled to receive the compensation provided for a majority of the members of the Nevada State Legislature during the first 60 days of the preceding regular session for each day or portion of a day during which he/she attends a meeting of the Commission or is otherwise engaged in the business of the Commission. The compensation and expenses of the legislative members of the Commission must be paid from the Legislative Fund.
- (d) In addition to any compensation received pursuant to this section, while engaged in the business of the Commission, each member and employee of the Commission is entitled to receive the per diem allowance and travel expenses provided for state officers and employees generally.

ARTICLE IV – OFFICERS

Section1: Officers and Duties

The Officers of the Commission shall consist of the Chairman, Vice Chairman and Committee Chairman or Co-Chairmen as follows:

- (a) Chairman – The Chairman is appointed by the Governor. The Chairman convenes meetings and is the presiding officer at all meetings, and prepares the official meeting agenda. The Chairman is the leader of the Commission and appoints the Vice Chairman and Standing Committee Chairmen.
- (b) Vice Chairman – The Vice Chairman is appointed by the Chairman and presides in the absence of the Chairman. The Vice Chairman also serves as chairman of special committees as deemed necessary by the Commission.
- (c) Committee Chairman or Co-Chairmen – Committee Chairman or Co-Chairmen of standing committees are appointed by the Chairman. Committee Chairmen may convene committee meetings

ARTICLE V - STANDING COMMITTEES

Section 1: Committees

The Chairman of the Commission may, with the approval of the Commission, appoint a Committee on By-Laws and Legislative, Finance, and any other committees deemed necessary by the Chairman to assist in carrying out the duties of the Commission. The Chairman of the Commission shall appoint to a committee the number of voting members or nonvoting members, or both, that he determines to be appropriate, except that a committee must include at least one member of the Commission. At its first meeting and annually thereafter, a committee shall select a chairman and a vice chairman from the members of the Committee.

The Commission will appoint member(s) to the Nevada Communications Steering Committee to address the communications concerns raised by the Commission. The Commission shall consider the Nevada Communications Steering Committee the advisory body to the Commission regarding communications concerns.

The standing committees are:

- a. By-Laws & Legislative Committee – Shall create, oversee, amend as necessary, and obtain approval of the official By- Laws of the Commission. Shall work with the Office of the Attorney General regarding the analysis of Assembly Bills 441 and 250 to identify areas for legislative clarification and/or enabling authority specific to the Commission's legislative mandate of domestic preparedness and prevention regarding acts of terrorism and related emergencies. Shall also assist the Governor's Office in preparing an omnibus bill draft request including the Commission's legislative proposals for the Nevada State Legislature.
- b. Finance Committee – Shall work with the Nevada Division of Emergency Management to determine the necessary appropriations for funding distributions in a regional approach for the state. This shall also include grants-seeking activities, tracking of expenditures, funding outreach as approved by the Commission. Shall work with several source agencies to locate potential funds for the Commission, achieve funding initiatives, and establish an account for these funds.

ARTICLE VI - MEETINGS

Section 1: Meetings

Commission and Committee Meetings shall be:

- (a) Held at the call of the Chairman or Vice Chairman (absence of the Chairman) as frequently as required to perform Commission duties, but not less than quarterly. Closed meetings may be held according to the Open Meeting Law criteria of Nevada Revised Statute 239C.140.
- (b) Conducted according to the latest revised version of the Robert's Rules of Order.
- (c) Meeting minutes shall be recorded, distributed and maintained by the staff for the Nevada Commission on Homeland Security.
- (d) Members may attend meetings either in person, by teleconference or videoconference.

Section 2: Closed Meetings

The Commission may hold a closed meeting to:

- (a) Receive security briefings;
- (b) Discuss procedures for responding to acts of terrorism and related emergencies; or
- (c) Discuss deficiencies in security with respect to public services, public facilities and infrastructure, if the Commission determines, upon a majority vote its members, that the public disclosure of such matters would be likely to compromise, jeopardize or otherwise threaten the safety of the public.
- (d) Closed meetings may be held according to the Open Meeting Law criteria of Nevada Revised Statute 239C.140.

Section 3: Special Meetings

Special Commission meetings shall be called by the Chairman or Vice Chairman (absence of the Chairman). Special Committee meetings may be called by the Chairman, Vice Chairman (absence of the Chairman) of the Commission or Committee Chairman or Co-Chairmen. Special Commission and Committee meetings shall be noticed and held in compliance with the provisions of Nevada Revised Statutes Chapter 241, the Open Meeting Law.

ARTICLE VII - FUNDING

Section 1: Appropriation

The Commission receives an appropriation from the State General Fund, as part of the Nevada Department of Public Safety Budget. These funds are used to assist the Commission in carrying out its duties.

Section 2: Other Funding Sources

The Commission may apply for and receive gifts, grants, contributions or other money from governmental and private agencies, affiliated associations and other persons to carry out the provisions of this chapter and to defray expenses incurred by the Commission in the discharge of its duties.

Section 3: Distribution of Funds

The Nevada Division of Emergency Management shall work with the Finance Committee on recommendations presented for approval to the Commission for final approval of distribution, as well as regarding criteria for the distribution processes of all funds. Such processes should be reviewed annually for the purpose of efficient and expedient distribution to first responders.

ARTICLE VIII - AMENDMENTS

Section 1: Amendments

These By-Laws may be amended when necessary by a majority of the Commission. Proposed amendments must be submitted to the By-Laws & Legislative Committee for preparation and approval by the Commission.